

# **PLANNED UNIT DEVELOPMENT**

## **WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION INSTRUCTIONS FOR FILING AN APPLICATION**

The Planned Unit Development (PUD) zoning district is a special purpose zoning district that is intended to encourage innovative land planning and design and avoid monotony sometimes associated with large developments by:

- a. reducing or eliminating the inflexibility that sometimes results from strict application of zoning standards that were designed primarily for individual lots;
- b. allowing greater freedom in selecting the means to provide access, light, open space and design amenities;
- c. promoting quality urban design and environmentally sensitive development by allow development to take advantage of special site characteristics, locations and land uses; and
- d. allowing deviations from certain zoning standards that would otherwise apply if not contrary to the general spirit and intent of the Unified Zoning Code.

Any use may be permitted within the PUD zoning district, provided that it is consistent with the purposes of the Unified Zoning Code and the Comprehensive Plan. The total number of dwelling units and level of nonresidential development allowed within a PUD shall not exceed the level that can be adequately served by public facilities. To provide information on the capacity of streets and other facilities serving a PUD, the Planning Director may require the applicant to conduct a traffic impact study or other infrastructure capacity analyses to provide information on the development's expected impacts on existing and planned facilities. The following otherwise applicable zoning standards and regulations may be varied or modified as part of the PUD plan approval: lot size, height, setbacks, open space, off-street parking and loading, signage, screening, landscaping and compatibility standards. Other plans, drawings or information that are deemed necessary to enable proper consideration of the request also may be required.

1. All applicants desiring to submit a PUD application should consult with the Metropolitan Area Planning Department (MAPD) prior to submitting a formal application. The purpose of the consultation is to advise the applicant of the rights and responsibilities in submitting such an application.
2. A PUD application is referred to the Metropolitan Area Planning Commission (MAPC) for a public hearing. The MAPC may recommended approval, approval with conditions or modifications, or denial of the request. The MAPC typically meets twice a month on Thursdays in the 10<sup>th</sup> Floor Conference Room at Wichita City Hall, 455 N. Main. Refer to the MAPC calendar of public hearing dates to determine the application deadline by which a PUD application must be submitted to be heard on a specific date. It is the policy of the MAPC to consider no more than nine (9) new applications at any regular meeting; therefore, processing of an application may be delayed if too many new applications are received for a specific public hearing date.
3. If the subject property is within the "Area of Influence" of a small city, the application will be scheduled for consideration by the small city Planning Commission prior to being considered by the MAPC, which may delay processing of an application if the small city's next hearing date is more than one week prior to or is after the requested MAPC hearing date. Applicants may contact a small city for a schedule of that city's Planning Commission hearing dates.
4. If the subject property is located within the City of Wichita, the application may be scheduled for consideration by the District Advisory Board (DAB) for the City Council district in which the property is located. The applicant

will be notified approximately three weeks after submitting the application of the date and time of the DAB meeting, if the request is to be considered by the DAB.

5. The MAPC, small city, and DAB action on a PUD request is a recommendation that is forwarded to the Governing Body for final action. The Governing Body typically considers PUD requests one month after the MAPC public hearing.
6. The Governing Body may require the applicant to plat or replat the property to provide adequate street right-of-way, drainage and utility easements, access control, etc. If so, the PUD ordinance or resolution will not be published and, therefore, the PUD will not become effective until the platting/replatting process has been completed and the plat has been recorded with the Register of Deeds.
7. The applicant shall submit a completed application form for a PUD request. An application to establish a PUD must be signed by all property owners or by the authorized agent(s) of such owner(s). An application to amend a PUD shall be signed by the owner(s) or authorized agent(s) of all land that will be directly affected by the amendment (i.e., the parcel(s) being amended). An application to adjust a PUD shall be submitted according to the instruction sheet for an Administrative Adjustment, which is available separately from the MAPD.
8. The applicant shall submit a PUD concept plan. At a minimum, the concept plan shall include the following information:
  - a. a detailed summary and graphic presentation of proposed land uses and development intensities, including the number of dwelling units and total nonresidential square footage by land use type;
  - b. a detailed explanation of how the proposed plan of development differs from what could be accomplished through strict compliance with the standards of the Unified Zoning Code;
  - c. the phasing plan and schedule of development, including an explanation of the sequence of building; and
  - d. an explanation of how the proposed PUD represents an improvement over what could have been accomplished through application of traditional zoning standards.
9. The applicant shall submit ten (10) 24" x 36" folded copies and one (1) 11" x 17" copy of the proposed PUD. The MAPD will review the proposed PUD, and typically two weeks after receiving the application, the MAPD will transmit comments and recommended revisions of the PUD to applicant. The applicant shall then prepare a revised PUD and shall submit eighteen (18) 24" x 36" folded copies and one (1) 11" x 17" copy of the revised PUD. The applicant typically will have one week to prepare the revised PUD. Failure to submit the revised PUD in a timely manner may result in a delay of processing the application and the applicant being charged a deferral fee. Additional copies of the PUD may need to be submitted between the MAPC and Governing Body hearing dates. Again, failure of the applicant to submit these additional copies of the PUD in a timely manner may result in a delay of processing the application and the applicant being charged a deferral fee. When the PUD has received final approval, four (4) 24" x 36" folded copies and one (1) 11" x 17" copy of the PUD shall be submitted to the MAPD for record-keeping purposes.
10. An application for PUD approval or amendment shall be accompanied by a current abstractor's certificate containing a legal description of the area in the application as well as the name of the owner, and shall include the names and mailing address (with zip codes) of all property owners within the following prescribed distance measured from the perimeter of the application area:

For applications within unincorporated Sedgwick County: 1000 feet

For an original PUD within Wichita:

Up to and including 1 acre	200 ft.
Over 1 acre to 6 acres	350 ft.
Over 6 acres to 15 acres	500 ft.
Over 15 acres to 25 acres	750 ft.
Over 25 acres	1000 ft.

For an amendment to a PUD within Wichita:

All owners within the PUD plus all owners within a radius of the parcel(s) being amended which is equal to the radius of the original notification.

11. In accordance with local policy, the applicant shall post one or more development application signs on the application site for at least 13 days immediately prior to the scheduled public hearing of the application request. Signs shall be purchased from the MAPD when the application is filed. The fee for each sign is \$3, and one sign is required for each street frontage.
12. The applicant shall submit the required filing fee as follows:

Original	\$880 + \$22/Acre + sign fee
Major Amendment – (design or use change that would affect 50% or more of the area contained within the PUD)	\$880 + sign fee
Minor Amendment – (design or use change that would affect less than 50% of the area contained within the PUD)	\$605 + sign fee

All checks should be payable to the “City of Wichita”, which acts as agent for the MAPD.

13. Request for a deferral of the hearing of any PUD shall be submitted to the MAPD at least 7 days prior to the scheduled hearing date. To cover the cost of preparing and mailing new notices, persons requesting a deferral will be charged a fee as follows:

Deferral	\$110
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14. All application materials and the filing fee are submitted at the MAPD, which is located on the 10<sup>th</sup> floor of Wichita City Hall, 455 N. Main and is open from 8 a.m. to 5 p.m. Monday thru Friday, excluding holidays. Applications should be submitted no later than 4 p.m. to allow time for application review and processing prior to the close of business. Incomplete applications will not be accepted. Refer to the MAPC calendar of public hearing dates to determine the application deadline by which a PUD application must be submitted to be heard on a specific date. Questions regarding the application process may be directed to the MAPD at (316) 268-4421.

## **PLANNED UNIT DEVELOPMENT CHECKLIST OF REQUIRED APPLICATION MATERIALS**

- ☐ Application form
- ☐ Concept plan
- ☐ Ten (10) 24" x 36" folded copies and one (1) 11" x 17" copy of the PUD
- ☐ Other plans, drawings, or information required at pre-application consultation (☐ if not applicable)
- ☐ Certified ownership list
- ☐ Filing fee

# APPLICATION

Case \_\_\_\_\_

This form MUST be completed and filed at the Planning Department, Tenth Floor, City Hall, 455 N. Main St., Wichita, KS, 67202 in accordance with directions on the accompanying instruction sheet. AN INCOMPLETE APPLICATION CANNOT BE ACCEPTED. Check the appropriate box below for type of application being submitted. A separate application form and filing fee is required for each application. A preapplication conference with the planning staff is recommended before filing this application.

## SECTION I

This property is located within: ☐ Wichita ☐ Sedgwick County (unincorporated)

### Metropolitan Area Planning Commission:

- ☐ Zone Change: From zoning district: \_\_\_\_\_ to \_\_\_\_\_
- ☐ Planned Unit Development: ☐ Approval ☐ Amendment to PUD \_\_\_\_\_ ☐ Adjustment to PUD \_\_\_\_\_
- ☐ Community Unit Plan: ☐ Approval ☐ Amendment to CUP \_\_\_\_\_ ☐ Adjustment to CUP \_\_\_\_\_
- ☐ Protective Overlay: ☐ Approval ☐ Amendment to PO \_\_\_\_\_ ☐ Adjustment to PO \_\_\_\_\_
- ☐ Conditional Use: To allow: \_\_\_\_\_ zone district: \_\_\_\_\_  
☐ Adjustment to CU/CON No. \_\_\_\_\_
- ☐ Vacation of: \_\_\_\_\_ zone district: \_\_\_\_\_  
(Use a separate sheet for legal description, if necessary.)
- ☐ Administrative Permit: To allow: \_\_\_\_\_ foot high wireless communication facility. zone district: \_\_\_\_\_
- ☐ Off-Site Billboard Sign within \_\_\_\_\_ feet of a residential lot/structure. zone district: \_\_\_\_\_

### Board of Zoning Appeals:

- ☐ Variance: To allow: \_\_\_\_\_ zone district: \_\_\_\_\_
- ☐ Appeal of: \_\_\_\_\_ zone district: \_\_\_\_\_
- ☐ Zoning Adjustment: To allow: \_\_\_\_\_ zone district: \_\_\_\_\_
- ☐ Sign Code Adjustment: To allow: \_\_\_\_\_ zone district: \_\_\_\_\_

## SECTION II

1. The application area is legally described as Lot(s) \_\_\_\_\_ ; Block(s) \_\_\_\_\_ , \_\_\_\_\_ Addition, (Wichita) Sedgwick County, KS. If appropriate, a metes and bounds description may be attached.
2. The application area contains \_\_\_\_\_ acres.
3. This property is located at (address) \_\_\_\_\_ which is generally located at (relation to nearest streets) \_\_\_\_\_
4. We file this request for the following reasons: \_\_\_\_\_  
\_\_\_\_\_
5. County control number: \_\_\_\_\_

(Continued)

6. The names of the owners of all property included in this application MUST be listed as applicants. Contract purchasers, lessees or others directly associated with the property may also be listed if they desire to be advised of the proceedings. (Use a separate sheet for additional applicants if needed.)

A. APPLICANT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_

B. APPLICANT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_

C. APPLICANT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_

AGENT \_\_\_\_\_ PHONE \_\_\_\_\_  
ADDRESS \_\_\_\_\_ ZIP CODE \_\_\_\_\_

7. We acknowledge receipt of the instruction sheet explaining the method of submitting this application. We realize that this application cannot be processed unless it is completely filled in; is accompanied by a current abstractor's certificate as required in the instruction sheet; and is accompanied by the appropriate fee. We further certify that the foregoing information is true and correct to the best of our knowledge. We authorize unannounced inspections of the subject property by City and/or County staff for the purpose of collecting information to review and analyze this request. We acknowledge that the MAPC, Governing Body, or Board of Zoning Appeals shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

_____ Applicant's Signature	By	_____ Authorized Agent (If Any)
_____ Applicant's Signature	By	_____ Authorized Agent (If Any)
_____ Applicant's Signature	By	_____ Authorized Agent (If Any)

The Petition must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this application.

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**FOR OFFICE USE ONLY**

Map \_\_\_\_\_ Zoning (N) \_\_\_\_\_ (S) \_\_\_\_\_ (E) \_\_\_\_\_ (W) \_\_\_\_\_ MAPC/BZA \_\_\_\_\_ Township \_\_\_\_\_  
Council/Commission District \_\_\_\_\_ DAB \_\_\_\_\_ Sm. City PC \_\_\_\_\_  
NA/HOA \_\_\_\_\_  
Date \_\_\_\_\_ Fee \_\_\_\_\_ Received By \_\_\_\_\_

**Required Documents:**

☐ Ownership List    ☐ BZA Justification    ☐ Legal Description    ☐ Vacation Petition    ☐ Site Plan    ☐ Signs